

Amend by adding:

"SEC. 2. The necessity for a general knowledge of the laws by the people of Texas, causes an emergency, and it is hereby enacted that this joint resolution shall take effect from and after its passage."

In Section 1, line 5, strike out, "1,500," and insert, "2,000;" and, as amended, recommend its passage. McLEARY, *Chairman*.

Senator Edwards, by leave, introduced the following joint resolution, "Making an appropriation to provide for perpetuating the memory of our distinguished statesmen and heroes, by securing their portraits."

Read and referred to Committee on Statistics of Industry, Public Health and History of Texas.

On motion of Senator Grace, the Senate adjourned until Monday morning at 10 o'clock.

THIRTY-FIFTH DAY.

SENATE CHAMBER, }
AUSTIN, TEXAS, May 29, 1876. }

Senate met pursuant to adjournment. Roll called. Quorum present. Prayer by the Chaplain.

Pending the reading of the journal of Saturday, on motion of Senator Terrell, the further reading was dispensed with.

The same was adopted.

On motion of Senator Grace, Senator Crain was excused for the day on account of illness.

Senator Hobby presented the petition of citizens of Liberty county, "asking for the passage of a law making it a penal offense to kill unbranded and unmarked calves and other cattle."

Read and referred to Committee on Stock and Stock Raising.

Senator Stephens presented a petition from citizens of Coryell county, "asking the repeal of all laws levying occupation taxes."

Read and referred to Judiciary Committee No. 2.

Senator Stephens, Chairman Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM, May 29, 1876.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared the following Senate Bills, to-wit: Senate Bill No. 30, "An Act to authorize the Secretary of State to furnish certain books to libraries of law schools;" Senate Bill No. 104, "An Act to prescribe the time for holding the District Court in the Twenty-second Judicial District;" also, Senate Bill No. 23, "An Act to regulate the appointment and define the duties of Notaries Public," and find the same correctly engrossed. STEPHENS, *Chairman*.

Senator Henry of Cass, Chairman Committee on Public Buildings and Grounds, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 79, "An Act to provide for supplying the State Capitol buildings and Capitol grounds with water," have had the same under consideration, and beg leave to report it back, with the following

substitute, to-wit: "An Act to provide for supplying the Capitol buildings and Capitol grounds with water," and recommend that the substitute do pass.

HENRY, *Chairman*.

Senator Douglass introduced a bill entitled: "An Act to prescribe additional grounds of attachment in civil suits."

Read first time and referred to Judiciary Committee No. 2.

Senator Thompson introduced a bill entitled: "An Act to more effectually provide for the registration of deeds conveying title to land, and mortgages or other instruments creating liens upon the same."

Read first time and referred to Judiciary Committee No. 1.

Senator Thompson introduced a bill entitled: "An Act to organize an armed force for the suppression of crime and the arrest of offenders."

Read first time and referred to Committee on State Affairs.

On motion of Senator Martin, one hundred copies of Senate Bill No. 137, "An Act to fix and regulate the fees of all the State officers of Texas and the several counties thereof," was ordered printed.

On motion of Senator Storey, the rules were suspended, and Senate Bill No. 159 was taken up, being "An Act to make an appropriation to pay the salaries of the Judges and other expenses connected with the Court of Appeals for the fiscal year ending August 31, 1876."

On motion of Senator Storey, the rules were suspended by the following vote, and bill read second time and ordered engrossed:

YEAS—Senators Ball, Blassingame, Brown, Burton, Douglass, Edwards, Ford, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Thompson, Wortham—23.

NAYS—None.

On motion of Senator Storey, the rules were further suspended, bill read third time and passed by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Douglass, Edwards, Ford, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson, Wortham—25.

NAYS—None.

On motion of Senator Edwards, the rules were suspended and House Joint Resolution No. 179, was taken up, a "Joint Resolution providing for the printing and distribution of such general laws as take effect from and after their passage, passed at this session of the Fifteenth Legislature," with proposed amendments from Senate Committee on State Affairs.

The amendments were adopted.

The rules were suspended by the following vote, bill read second time and passed to third reading:

YEAS—Senators Ball, Blassingame, Brown, Burton, Douglass, Edwards, Ford, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson, Wortham—24.

NAYS—None.

The joint resolution was then read third time, as amended, and passed by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Burton, Douglass, Edwards, Ford, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, Mc-

Leary, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson, Wortham—24.

NAYS—None.

On motion of Senator Smith, the rules were suspended, and House Bill No. 141, "An Act to authorize the Secretary of State to employ extra clerks in his office, and to make appropriation to pay the same," was taken up and read second time.

On motion of Senator Smith, the rules were suspended, and bill read third time, by the following vote :

YEAS—Senators Ball, Blassingame, Brown, Burton, Douglass, Edwards, Ford, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Storey, Terrell, Thompson and Wortham—25.

NAYS—None.

The rules were further suspended, bill read third time and passed by the following vote :

YEAS—Senators Ball, Blassingame, Brown, Burton, Edwards, Ford, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson and Wortham—24.

NAYS—None.

Senate Bill No. 1, "An Act to suspend the collection of the road tax," was taken up, read third time, and passed by the following vote :

YEAS—Senators Ball, Blassingame, Brown, Burton, Douglass, Edwards, Ford, Grace, Henry J. R., Henry F. M., Hobby, Martin, McLeary, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson and Wortham—24.

NAYS—None.

Senator Thompson, by leave, offered the following resolution :

Resolved, That the Finance Committee ascertain the deficiency due to the State officers, and report a bill to provide for the payment of the same.

Adopted.

On motion of Senator Piner, the rules were suspended and House Bill No. 126, "An Act to provide for the transfer of the cases in the late Criminal Courts of the State to the District Courts, and to legalize the proceedings of the District Courts in certain cases," was taken up and read second time.

On motion of Senator Piner, the rules were suspended by the following vote, and bill read third time :

YEAS—Senators Ball, Blassingame, Brady, Brown, Douglass, Edwards, Ford, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, McLeary, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson and Wortham—26.

NAYS—None.

The bill was then passed by the following vote :

YEAS—Senators Ball, Blassingame, Brown, Burton, Douglass, Edwards, Ford, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Terrell, Thompson and Wortham—26.

NAYS—None.

Senator Brady, by leave, introduced a bill entitled, "An Act to authorize the corporation of the city of Houston to improve and protect the navigation of Buffalo Bayou."

Read first time and referred to Committee on Internal Improvements. Senator Brady, also by leave, presented a petition from citizens of Harrisburg in regard to the protection of the navigation of Buffalo Bayou.

Read and referred to Committee on Internal Improvements.

Senate Bill No. 18, "An Act to amend Article 382 of the criminal code," with House amendments, was taken up.

On motion of Senator Terrell, the bill and amendments were referred to Judiciary Committee No. 2.

The President, after reading its caption, signed House Bill No. 30, "An Act ratifying and confirming an ordinance of the city of Houston, adopted December 16, 1875, providing for the consolidation and funding of the bonded indebtedness of said city."

Senate Bill 109, "An Act to regulate juries in civil cases," was taken up and read third time.

Senator Storey in the chair.

Senator Ball offered the following amendment as a substitute for Section 2:

"SEC. 2. All civil officers, practicing physicians and ministers of the gospel are exempt from jury service."

Lost.

The President in the chair.

Senator Ripetoe offered the following amendment:

In Section 7, line 7, strike out the words, "read and write."

Lost.

Senator Edwards offered the following amendment:

In Section 20, line 5, after the word, "jury," insert the words, "and if during the trial, one or more jurors, not exceeding three, should die or be disabled from sitting; the remainder of the jury, all concurring, may render the verdict," and strike out all from the word, "jury," in line 5, to and including the word, "verdict."

Adopted.

Senator Ball offered the following amendment:

In Section 20, line 5, strike out all after the word, "jury."

Pending the discussion on the amendment, Senator McLeary moved the previous question.

Seconded.

The question then being on the adoption of the amendment offered by Senator Ball, it was lost by the following vote:

YEAS—Senators Ball, Brady, Burton, Ford, Hobby, Ledbetter, McCulloch, Ripetoe, Storey, Thompson—10.

NAYS—Senators Blassingame, Brown, Douglass, Edwards, Grace, Guy, Henry J. R., Henry F. M., Martin, McLeary, Moore, Motley, Piner, Smith, Stephens, Terrell, Wortham—17.

The bill was then passed by the following vote:

YEAS—Senators Ball, Blassingame, Douglass, Edwards, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCulloch, Moore, Motley, Piner, Smith, Stephens, Storey, Terrell, Thompson, Wortham—22.

NAYS—Senators Brady, Brown, Burton, Ford, Ripetoe—5.

Senator Stephens, Chairman Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM, May 29, 1876.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills, beg leave to report that they have carefully examined and compared Senate Bill No. 2, entitled, "An Act to organize the County Courts and define their powers and jurisdiction, and find the same correctly engrossed. STEPHENS, *Chairman*.

On motion of Senator Ball, the rules were suspended, and Senate Bill No. 94, "An Act to amend 'An Act to provide for the supplying of lost records in the several counties in the State,'" approved April 14, 1874, was taken up, and made special order for Thursday next at 11 o'clock A. M.

Senate Bill No. 30: "An Act to authorize the Secretary of State to furnish certain books to libraries of law schools," was taken up, read third time and passed.

Senate Bill No. 111: "An Act to amend 'An Act to adopt and establish a penal code for the State of Texas,'" approved August 28, 1856, was read third time and passed.

Senate Bill No. 122: "An Act to fix the salaries of special Judges, and to prescribe rules for paying the same," was taken up and read third time.

Senator Martin moved to strike out the word, "appointed," in Section 1, and insert the word, "commissioned."

Adopted.

The bill, as amended, was then passed.

On motion of Senator Burton, the Senate adjourned until 10 A. M. tomorrow.

THIRTY-SIXTH DAY.

SENATE CHAMBER
AUSTIN, TEXAS, May 30, 1876. }

Senate met pursuant to adjournment. Prayer by the Chaplain.

Journal of yesterday read and adopted.

Senator Thompson presented the petition of James Harding, a citizen of Walker county, praying for relief in the payment of remnant of wages due himself and others for services rendered as guards at the penitentiary, during the years 1867, 1868 and 1869.

Read and referred to Committee on Finance.

A message was received from the House, announcing the passage by that body of Senate Bill No. 174, "And Act to prescribe the time for holding the District Court in the Twenty-second Judicial District."

Senator Hobby, Chairman of the Committee on Judiciary No. 1, submitted the following reports:

Hon. R. B. Hubbard, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred House Bill No. 23, entitled, "An Act to amend an act to re-apportion the State of Texas into Congressional Districts," approved May 2, 1874," have had the same under consideration, and instruct me to report the bill back to the Senate, with the following amendments, and recommend that it do not pass: